

Exhibit 1

**UNITED STATES DISTRICT COURT
DISTRICT OF CONNECTICUT**

SKAT,

Plaintiff,

vs.

HEADSAIL MANUFACTURING LLC
ROTH 401K PLAN & ROBERT
KLUGMAN,

Defendants.

Civil Action No. 3:18-cv-00984-JBA

Honorable Janet Bond Arterton

July 30, 2018

**PLAINTIFF'S UNOPPOSED MOTION
FOR ENLARGEMENT OF TIME TO
SERVE PROCESS**

Plaintiff SKAT respectfully moves this Court, pursuant to Fed. R. Civ. P. 6(b) and D. Conn. L.R. 7(b), for an enlargement of the time to serve process on Defendant Headsail Manufacturing LLC Roth 401K Plan (“**Headsail**”) for an additional 90 days beyond the 90 days from the date the Complaint was filed. Despite SKAT’s diligent efforts it has not yet been able to effect service of process on Defendant Headsail. In support of this Motion, Plaintiff states that:

1. This action was filed in this Court on June 12, 2018. Pursuant to Fed. R. Civ. P. 4(m), the original date by which Plaintiff must serve process on Defendant is September 10, 2018.
2. Plaintiff made efforts to personally serve Defendant Headsail by means of a process server from Target Research & Investigation, who unsuccessfully attempted to effect service at Defendant Headsail’s address, 425 Park Avenue, New York, NY 10022. As stated in the attached Affidavit of Attempted Service completed by Sean Lafleur

of Target Research & Investigation, Defendant Headsail's address is under construction and currently vacant.

3. Plaintiff also sought to serve Defendant Headsail by requesting that counsel for Defendant Robert Klugman ("**Klugman**"), David L. Goldberg of Katten Muchin Rosenman LLP, accept service on behalf of Defendant Headsail. As alleged in the Complaint, Defendant Klugman has previously described himself as the "Trustee" of Defendant Headsail. Mr. Goldberg represented to SKAT's counsel that Defendant Headsail no longer exists and therefore, he was unable to accept service on behalf of Defendant Headsail. Mr. Goldberg also represented that he is unaware of any other individual or entity authorized to accept service on behalf of Defendant Headsail. Mr. Goldberg authorized SKAT's counsel to represent that Defendant Klugman does not oppose this Motion.
4. Plaintiff is seeking additional information to determine the current legal status and location of Defendant Headsail, both from Defendant Klugman's counsel as well other sources.
5. This Motion is the first request by Plaintiff for an enlargement of time to serve process on Defendant Headsail.
6. Pursuant to Fed. R. Civ. P. 4(m), this Motion is brought in good faith and not for the purpose of delay, and good cause exists to allow the additional time requested.
7. The time in which Plaintiff has to serve process on Defendant Headsail has not expired, and this Motion is filed within this Court's deadline to seek extension of time, pursuant to L.R. 7(b)(3).

WHEREFORE the Plaintiff respectfully requests that this Court enter an Order enlarging by an additional ninety (90) days, until December 9, 2018, the period of time in which the Plaintiff may effect service of the Complaint (Docket Entry No. (“**D.E.**”) 1); Summons (D.E. 7); Order on Pretrial Deadlines (D.E. 2); Electronic Filing Order (D.E. 3); Standing Protective Order (D.E. 4); and Order Re: Disclosure Statement (D.E. 5) on Defendant Headsail as set forth above.

DATED this 30th day of July, 2018.

Respectfully submitted,

HUGHES HUBBARD & REED LLP

/s/ Sarah L. Cave
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Counsel for Plaintiff SKAT (the Customs and Tax
Administration of the Kingdom of Denmark)

United States District Court
District of Connecticut

SKAT,

Plaintiff

VS

HEADSAIL MANUFACTURING LLC ROTH 401K
PLAN, ET AL.,

Defendant

AFFIDAVIT OF ATTEMPTED SERVICE

File/Index No.: 3:18 - CV - 00984 - JBA

Issued On:

Alt File/Index No.:

Calendar No.:

SERVICE UPON: Headsail Manufacturing LLC Roth 401K Plan

STATE OF New York, COUNTY OF New York: ss

Sean Lafleur being duly sworn, deposes and says: I am not a party to the within action, am over the age of 18 years and reside in the State of New York.

I was unable to effect service of process of the following documents: Summons; Complaint - Jury Trial Demanded; Order On Pretrial Deadlines; Notice To Counsel And Pro Se Parties upon Headsail Manufacturing LLC Roth 401K Plan after due diligent efforts to do so at the following dates and times and at the following places:

On 7/27/2018 at 11:37 AM at 425 Park Avenue, New Ynrk, NY 10022, Per male security worker with construction crew, entire address is vacant as location under renovation; he said there are no tenants and renovation started approx 4 years ago.

Subscribed and sworn before me on July 30, 2018

Toby Gragnaniello

Notary Public:

Notary #: Qualified in County:

TOBY GRAGNANIELLO
Notary Public - State of New York
No. 01GR4967918

Qualified in New York County
My Commission Expires 06/11/2022

Sean Lafleur
Sean Lafleur N89351
Target Research & Investigation
233 Broadway, Suite 2065,
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Order #:T84116

AFFIDAVIT OF NON SERVICE